



SDHR City of Seattle - Employee Sick and Safe Leave Benefits

In 2011, City Council passed the Sick and Safe Leave Ordinance, memorialized in the Seattle Municipal Code (“SMC”) as Chapter 14.16. The law provides paid sick and safe leave to all City employees, except for work study employees and interns. Sick leave is paid leave for an employee’s absence from work for a medical condition. Safe leave is paid leave for an absence due to public health-related facility closures, or for reasons related to domestic violence, stalking, or sexual assault. Such leave is shown in an employee’s Employee Self Service account leave balances page as simply “sick leave.” The City provides paid sick and safe leave benefits consistent with those of a Tier 3 employer under SMC 14.16.

This chart provides an overview of City employees’ sick and safe leave benefits. It is a summary of benefits broken out by type of employee; however, collective bargaining agreements may provide a more generous benefit. Please refer to your collective bargaining agreement, the City’s Personnel Rules, or contact your human resources representative for complete information about how these benefits apply to you. If you are not sure which type of employee you are, your human resources representative can assist you.

Benefit Condition	Regular Employees and Benefitted Temporary Employees	Non-Benefitted Temporary Employees	LEOFF 1 Employees
<i>Eligible Absences</i>	<ul style="list-style-type: none"> • Personal illness, injury, or medical appointment • Illness, injury, or medical appointment for an eligible family member • Non-medical care of a newborn or child recently placed for adoption • Closure of employee’s worksite or of a child’s school/place of care to limit exposure to an infectious agent, biological toxin or hazardous material • Eligible reasons related to domestic violence, sexual assault or stalking¹ 	<ul style="list-style-type: none"> • Personal illness, injury, medical appointment • Illness, injury, medical appointment for an eligible family member • Closure of employee’s worksite or of a child’s school/place of care to limit exposure to an infectious agent, biological toxin or hazardous material • Eligible reasons related to domestic violence, sexual assault or stalking 	<ul style="list-style-type: none"> • Illness, injury, medical appointment for an eligible family member² • Closure of employee’s worksite or of a child’s school/place of care to limit exposure to an infectious agent, biological toxin or hazardous material • Eligible reasons related to domestic violence, sexual assault or stalking

¹ Other uses of sick leave for regular or benefitted temporary employees include conversion to funeral leave, and cash out for sabbatical or retirement. Regular employees and certain benefitted temporary employees may also participate in the City’s sick leave transfer program. To understand all benefits related to City sick leave, please refer to your collective bargaining agreement, the City’s Personnel Rules, or contact your human resources representative.

² LEOFF 1 employees may take paid time off (not deducted from any sick leave balances) pursuant to the LEOFF 1 benefit program.



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Benefit Condition	Regular Employees and Benefitted Temporary Employees	Non-Benefitted Temporary Employees	LEOFF 1 Employees
Employee’s Eligible Family Members for Sick Leave	Spouse or domestic partner, or the parent, child, sibling, or grandparent of the employee or the employee’s spouse or domestic partner when the employee’s absence from work is required or is recommended by a health care provider	Child who is under 18 or incapable of self-care, grandparent, spouse/domestic partner or parent/parent-in-law to cover absences related to a family member’s illness, injury or medical treatment	
Employee’s Eligible Family Members for Safe Leave	Family member or roommate for reasons related to domestic violence, sexual assault or stalking; or for a child whose school has closed for public health reasons.		
Accrual Rate	0.046 of hours worked	0.033 of hours worked	72 hours per year (regardless of hours worked)
Carryover ³	Leave earned may be banked indefinitely and carried over from year to year	Up to 72 hours of leave may be carried over into the next calendar year	Leave earned may be banked indefinitely carried over from year to year
Minimum/Maximum Use	No limit, but may not “borrow” future, unearned sick leave. Most regular employees and some represented benefitted temporary employees may receive donated sick leave through the sick leave transfer program.	Employees may use up to 72 hours per year and are not eligible to participate in the sick leave transfer program. May not “borrow” future, unearned sick leave.	No limit, but may not “borrow” future, unearned sick leave. LEOFF 1 employees may not participate in the sick leave transfer program.
	Minimum increment is 15 minutes.	Minimum increment is 15 minutes.	Minimum increment is 15 minutes.
Waiting Period	30 days	180 days	N/A (employees joined the LEOFF system prior to October 1, 1977)
Rate of Pay	Employees must be paid at the same rate of pay and given the same benefits for paid sick leave as they would have earned had they actually worked as scheduled. Employees who call in sick for an overtime shift may use sick leave for time missed and will be paid for such time at their straight-time rate of pay, but only if the overtime was “mandatory.”		

³ The City's sick leave benefit year is the calendar year.



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Documentation	Employees shall provide documentation to verify absences greater than <u>four</u> consecutive days or when there appears to be sick leave abuse	Departments may seek documentation to verify employee absences greater than <u>three</u> consecutive days or for clear instances or patterns of abuse	
Possible Discipline for Leave Abuse	Disciplinary action will be determined on a case-by-case basis depending on the facts of the situation and other criteria. Discipline may be up to and including termination from employment.		
Reasonable Notice Requirements for Requesting Sick Leave	Length of notice required by employees will depend on the operating needs of the department. Employees should check with their supervisors to understand expectations around providing notice for foreseeable sick and safe leave absences.		
Sick Leave Cash Out at Separation?	Only if retiring from City service, and at the rate provided by the Personnel Rules or applicable labor contract	No	
Reinstatement of Sick Leave	Employees who are rehired after <u>layoff</u> may have all sick leave reinstated, regardless of when they are rehired. Employees who are rehired within seven months after separation shall have 72 hours of sick leave reinstated, regardless of the reason they separated.	Employees who are rehired within seven months after separation shall have all sick leave reinstated, regardless of the reason they separated.	

An employer cannot retaliate against an employee for asserting his or her rights under this law, filing a complaint with OLS, or telling others about their rights.

For more information about the Sick and Safe Leave law itself, contact the Seattle Office of Labor Standards at (206)684-4500 or email laborstandards@seattle.gov. Posters with information about the Sick and Safe Leave law are posted at your worksite.